

November 20, 2008

AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
November 20, 2008

I. OPENING OF MEETING AT 1:00 P.M. AT 400 WEST MONROE STREET, SUITE 306, SPRINGFIELD, ILLINOIS

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR MEETING HELD OCTOBER 16, 2008

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR MEETING HELD OCTOBER 16, 2008?

IV. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

A. Report on Exempt Positions

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging	163.....	9
Agriculture	459.....	16
Arts Council.....	21.....	2
Capitol Development Board	36.....	0
Central Management Services	1,476.....	107
Children and Family Services	3,198.....	49
Civil Service Commission	4.....	0
Commerce & Economic Opportunity	416.....	67
Commerce Commission.....	72.....	0
Corrections.....	11,476.....	115
Criminal Justice Authority	55.....	6
Deaf and Hard of Hearing Comm.	6.....	1
Developmental Disabilities Council	10.....	1
Emergency Management Agency	93.....	5
Employment Security.....	1,727.....	25
Environmental Protection Agency	985.....	19
Financial & Professional Regulation	745.....	50
Guardianship and Advocacy	109.....	8
Healthcare and Family Services.....	2,499.....	29
Historic Preservation Agency	240.....	12
Human Rights Commission	12.....	2
Human Rights Department	150.....	10
Human Services	14,624.....	75
Investment Board.....	4.....	2
Juvenile Justice	1,163.....	19
Labor.....	81.....	7
Labor Relations Board Educational	13.....	2
Labor Relations Board State	20.....	2
Law Enforcement Training & Standards Bd.....	20.....	1
Medical District Commission	2.....	0
Military Affairs	128.....	3
Natural Resources	1,440.....	24
Pollution Control Board.....	19.....	2
Prisoner Review Board	20.....	0
Property Tax Appeal Board	21.....	1
Public Health.....	1,137.....	43
Revenue	2,126.....	70
State Fire Marshal	149.....	12
State Police	1,423.....	6
State Police Merit Board.....	6.....	1
State Retirement Systems	87.....	2
Transportation	2,450.....	0
Veterans' Affairs.....	1,105.....	7
Workers' Compensation Commission	172.....	10
TOTALS	50,162.....	822

B. Governing Rule – Jurisdiction B Exemptions

- a) Before a position shall qualify for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the position shall be directly responsible to:
 1. The Governor, or
 2. A departmental director or assistant director appointed by the Governor, or
 3. A board or commission appointed by the Governor, or
 4. The head of an agency created by Executive Order, or the director or assistant director of an agency carrying out statutory powers, whose offices are created by the Governor subject to legislative veto under Article V, Section 11, of the Constitution of 1970, which agency head, director, or assistant director may themselves be subject to exemption under Section 4d(3), or
 5. In an agency having a statutory assistant director, a deputy director exercising full line authority under the director for all operating entities of the agency, provided the statutory role of assistant director is vacant or is assigned clearly distinct and separate duties from the deputy director and as a colleague to him, or
 6. A line position organizationally located between the director and/or assistant director and a subordinate statutorily exempt position(s), provided the position proposed for exemption has line authority over the statutory exempt position(s), or
 7. The elected head of an independent agency in the executive, legislative, or judicial branch of government.
- b) If a position meets the above criterion, it must, in addition, be responsible for one or more of the following before it shall be approved as exempt:
 1. Directs programs defined by statute and/or departmental, board, or commission policy or possess significant authority when acting in the capacity of a director of programs to bind the agency.
 2. Makes decisions in exercising principal responsibility for the determination or execution of policy which fix objectives or state the principles to control action toward operating objectives of one or more divisions, such decisions being subject to review or reversal only by the director, assistant director, board, or commission.
 3. Participates in the planning and programming of departmental, board, or commission activities, integrating the plans and projections of related divisions, and the scheduling of projected work programs of those agencies.

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C. Illinois Department of Public Health – Proposed Exemption (continued from October 16, 2008)

Position Number	37015-20-60-200-00-81
Position Title	Public Service Administrator
Bureau/Division	Office of Women’s Health
Functional Title	Community Outreach Administrator
Incumbent	None
Supervisor	Deputy Director, Women’s Health, who reports to the Director
Location	Cook County

CMS Recommendation: “The position meets the reporting criteria of the Commission Rules and considering the similarity of this position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

D. Illinois Department of Central Management Services– Proposed Exemption (continued from October 16, 2008)

Position Number	40070-37-10-000-10-01
Position Title	Senior Public Service Administrator
Bureau/Division	Bureau of Communications & Computer Services (BCCS)
Functional Title	Chief of Information Technology Policy & Planning for BCCS
Incumbent	None
Supervisor	Deputy Director of BCCS, who reports to the Director
Location	Cook County

CMS Recommendation: “The position meets the reporting criteria of the Commission Rules and considering the similarity of this position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

E. Illinois Department of Central Management Services – Proposed Exemption (continued from October 16, 2008)

Position Number	40070-37-12-000-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Bureau of Communications & Computer Services (BCCS)
Functional Title	Enterprise Applications Manager
Incumbent	None
Supervisor	Deputy Director of BCCS, who reports to the Director
Location	Sangamon County

CMS Recommendation: “The position meets the reporting criteria of the Commission Rules and considering the similarity of this position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

F. Illinois Department of Public Health – Proposed Exemption

Position Number	40070-20-26-000-00-81
Position Title	Senior Public Service Administrator
Bureau/Division	Patient Safety
Functional Title	Division Chief, Division of Patient Safety in the Office of Policy, Planning & Statistics
Incumbent	None
Supervisor	Deputy Director of the Office of Policy, Planning & Statistics, who reports to the Director
Location	Cook County

CMS Recommendation: “The position meets the reporting criteria of the Commission Rules and considering the similarity of this position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

G. Illinois Department of Public Health – Proposed Exemption

Position Number	40070-20-41-000-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Long Term Care
Functional Title	Division Chief for Long Term Care, in the Office of Health Care Regulation
Incumbent	Richard L. Dees
Supervisor	Deputy Director of the Office of Health Care Regulation, who reports to the Director
Location	County

CMS Recommendation: “The position meets the reporting criteria of the Commission Rules and considering the similarity of this position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

H. Illinois Department of Agriculture – Proposed Exemption

Position Number	40070-11-01-000-00-02
Position Title	Senior Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Statewide Project Manager of Economic Development Initiatives
Incumbent	None
Supervisor	Director
Location	Perry County

CMS Recommendation: “The position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

I. Illinois Dept. of Financial and Professional Regulation – Proposed Exemption

Position Number	37015-13-00-200-00-01
Position Title	Public Service Administrator
Bureau/Division	Secretary’s Office
Functional Title	Chief Liaison for Human Resources
Incumbent	None
Supervisor	Secretary
Location	Cook County

CMS Recommendation: “The position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

J. Illinois Department of Revenue – Proposed Exemption

Position Number	40070-25-20-140-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	IS/Technical Support Division
Functional Title	Manager, IS/Technical Support Division
Incumbent	None
Supervisor	Information Services Administrator, who reports to the Director
Location	Sangamon County

CMS Recommendation: “The position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

K. Illinois Office of the State Fire Marshal – Proposed Exemption

Position Number	40070-50-50-100-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Fire Prevention
Functional Title	Division Director, Fire Prevention
Incumbent	Misty D. Matykiewicz
Supervisor	State Fire Marshal
Location	Sangamon County

CMS Recommendation: “The position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

WILL THE COMMISSION GRANT THE REQUESTS FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?

C: Community Outreach Administrator, Office of Women's Health

D: Chief of Information Technology Policy & Planning, BCCS

E: Enterprise Applications Manager, BCCS

F: Division Chief, Division of Patient Safety in the office of Policy, Planning and Statistics

G: Division Chief for Long Term Care in the office of Health Care Regulation

H: Statewide Project Manager for Economic Development Initiatives

I: Chief Liaison for Human Resources

J: Manager, IS/Technical Support Division

K: Division Director, Fire Prevention

V. CLASS SPECIFICATIONS

- **None submitted**

WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY?

VI. MOTION TO GO INTO EXECUTIVE SESSION

PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION HOLD AN EXECUTIVE SESSION TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, AND/OR SPECIFIED EMPLOYMENT MATTERS?

VII. RECONVENE MEETING

VIII. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. Set forth below is the number of consecutive non-merit appointments made by each department. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

Agency	9/30/08	10/31/08	10/31/07
Agriculture	2	2	0
Central Management Services	4	2	5
Children and Family Services	3	2	6
Employment Security	7	1	0
Healthcare and Family Services	12	12	5
Historic Preservation	0	0	7
Human Services	5	2	2
Investment Board	1	1	0
Natural Resources	15	7	9
State Police	0	1	0
State Retirement Systems	1	1	0
Transportation	13	6	10
Veteran's Affairs	7	5	0
Workers' Compensation Commission	6	6	2
Totals	76	48	46

IX. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEALS

- **DISCHARGE**

DA-30-08

Employee	Thomas Hobgood	Appeal Date	12/27/07
Agency	DOR	Decision Date	11/07/08
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Conduct unbecoming; care of official documents; confidentiality of information	Recommended Decision	Charges are partially proven and warrant 60-day suspension.

DOES THE COMMISSION AFFIRM AND ADOPT THE RECOMMENDED DECISION IN THE ABOVE MATTER?

- **CONSOLIDATED ALLOCATION APPEALS¹**

AA-26-08

Employee	Teresa L. Pickle	Appeal Date	12/10/07
Agency	DVA	Decision Date	11/03/08
Type	Allocation	ALJ	Andrew Barris
Allegations	Positions should be allocated to Registered Nurse II	Proposal for Decision	Employees did not prove their positions were more appropriately allocated to Registered Nurse II class.

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

- **RULE VIOLATION APPEAL**

RV-45-08

Employee	Abasse Tall	Appeal Date	05/15/08
Agency	DCFS	Decision Date	10/28/08
Type	Rule Violation	ALJ	Andrew Barris
Allegations	Violation of Section 310.450 & 310.540 Pay Plan	Proposed Finding	Violation of Section 310.450 (b)(1); agency directed to allow employees to discuss evaluations with their immediate supervisors for future evaluations of covered employees.

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSED FINDING IN THE ABOVE MATTER?

X. **PROPOSED REVISIONS TO CIVIL SERVICE COMMISSION RULES**

WILL THE COMMISSION APPROVE THE PROPOSED REVISIONS TO CIVIL SERVICE COMMISSION RULES?

¹ Three allocation appeals were consolidated under AA-26-08, Teresa L. Pickle vs. Central Management Services. They are AA-23-08 filed by Cindy Drennan-Smith, AA-24-08 filed by Diane Jennings, and AA-25-08 filed by Felicia Kindhart.

November 20, 2008

XI. STAFF REPORT

XII. ANNOUNCEMENT OF NEXT MEETING

The next regular meeting is to be held on Thursday, December 18, 2008 at 9:00 a.m. in the Commission's Chicago office. Beginning in 2009, the Commission meetings will be held on the third Friday of the month.

XIII. MOTION TO ADJOURN